

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PLATTE RIVER INSURANCE  
COMPANY,**

**Plaintiff,**

**v.**

**JOSEPH P. MELVIN COMPANY, LLC,  
Defendant.**

**CIVIL ACTION**

**NO. 20-3380**

**ORDER**

**AND NOW**, this 16th day of November, 2020, upon consideration of Defendant's Motion to Dismiss (Document No. 4, filed September 14, 2020), Plaintiff's Brief in Opposition to Defendant's Motion to Dismiss (Document No. 11, filed October 8, 2020) and the Reply Memorandum of Law in Support of Defendant's Motion to Dismiss (Document No. 13, filed October 29, 2020), for the reasons set forth in the accompanying Memorandum dated November 16, 2020, **IT IS ORDERED** that Defendant's Motion to Dismiss is **DENIED**.

**IT IS FURTHER ORDERED** that a preliminary pretrial conference will be scheduled in due course.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**